

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

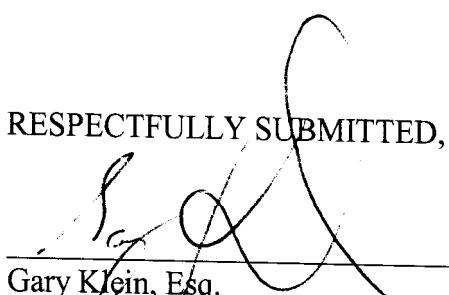
FRANK POLIVKA, on Behalf of Himself and §
All Others Similarly Situated, §
§
Plaintiff, §
§
v. § Case No. 05 CV 0298
§
ROBERT B. CATELL, JOHN R. GALVIN, §
ALICE S. ILCHMAN, FRANK A. §
McPHERSON, JOHN E. MEROW, BETSY S. §
MICHEL, WILLIAM C. MORRIS, LEROY C. §
RICHIE, ROBERT L. SHAFER, JAMES N. §
WHITSON, BRIAN T. ZINO, SELIGMAN, §
INC., J. & W. SELIGMAN & CO., INC., and §
JOHN DOES NO. 1 THROUGH 100 §
§
Defendants. §

NOTICE OF DISMISSAL

Pursuant to Fed. R. Civ. 41(a), plaintiffs hereby dismiss this action, which has not been certified as a class action, without prejudice.

Dated: March 1, 2005.

RESPECTFULLY SUBMITTED,



Gary Klein, Esq.
WEITZ & LUXENBERG, P.C.
180 Maiden Lane
New York, New York 10038
(212) 558-5500
(212) 344-5461

Randall K. Pulliam
BARON & BUDD, P.C.
3102 Oak Lawn Ave.
Suite 1100
Dallas, Texas 75219-4281
(214) 521-3605
(214) 520-1181 fax

J. Allen Carney
Hank Bates
CAULEY BOWMAN CARNEY & WILLIAMS, LLP
11311 Arcade Dr.
Suite 200
Little Rock, Arkansas 72212
(501) 312-8500
(501) 312-8505 fax